

Chapter 10.08**ENFORCEMENT**

(322-1/29, 1157-9/65, Urg Ord 1292-1/67, 2124-1/77, 3163-8/92, 3337-12/96, 3368-8/97)

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10.08.010 Traffic direction--Authority. Officers, reserve officers, parking control officers and cadets of the Police Department and Marine Safety Officers and such special officers of the Community Services Department as are assigned by the Chief of Police are authorized to direct all traffic by voice, hand, audible or other signal in conformance with traffic laws, except that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department or members of the Fire Department may direct traffic as conditions may require, notwithstanding the provisions to the contrary contained in this title or the Vehicle Code. (322-1/29, 1157-9/65, 2124-1/77)

10.08.020 Traffic direction--Persons prohibited. No person other than an officer of the Police Department or a person authorized by the Chief of Police or a person authorized by law shall direct, or attempt to direct traffic by voice, hand or other signal, except that persons may operate, when and as herein provided, any mechanical pushbutton signal erected by order of the Director of Public Works. (322-1/29, 1157-9/65)

10.08.030 Traffic direction--Obedience to officers. No person shall fail or refuse to comply with or to perform any act, lawful order, signal or direction of a Traffic or Police Officer, or a member of the Fire Department, or a person authorized by the Chief of Police or by law. (322-1/29, 1157-9/65)

10.08.040 Riders of bicycles or animals. Every person riding a bicycle or driving an animal upon a highway has all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this title, except those provisions which by their very nature can have no application. (1157-9/65)

10.08.050 Obstructing or interfering with officers. No person shall interfere with or obstruct in any way any Police Officer or other officer or employee of this City in their enforcement of the provisions of this title. The removal, obliteration or concealment of any chalk mark or other distinguishing mark used by any Police Officer or other employee or officer of this City in connection with the enforcement of the parking regulations of this title, constitute such interference or obstruction. (1157-9/65)

10.08.060 Public employees to obey regulations. The provisions of this title shall apply to the operator of any vehicle owned by or used in the service of the United States government, this state, any county or city, and it shall be unlawful for any said operator to violate any of the provisions of this title except as otherwise permitted in this title or by the Vehicle Code. (1157-9/65)

10.08.070 Exemption of certain vehicles. The provisions of this title regulating the operation, parking and standing of vehicles shall not only apply to vehicles operated by the Police or Fire Departments, any public ambulance or any public utility vehicle or any private ambulance, which public utility vehicle or private ambulance has qualified as an authorized emergency vehicle, when any vehicle mentioned in this section is operated in the manner specified by the Vehicle Code in response to an emergency call, or to the operation of bicycles by Police Department personnel while in the course and scope of their official duties. (1157-9/65, 3163-8/92)

10.08.080 Exempted vehicles must use due care. The foregoing exemptions shall not, however, relieve the operator of any such vehicle from obligation to exercise due care for the safety of others or the consequences of his willful disregard of the safety of others. (1157-9/65)

10.08.090 Exemptions to parking or standing rules. The provisions of this title regulating the parking or standing of vehicles shall not apply to any vehicle of a city department or public utility while necessarily in use for construction or repair work or any vehicle owned or operated by the United States Post Office Department while in use for the collection, transportation or delivery of United States mail. (1157-9/65)

10.08.100 Accident report--Required when. The operator of a vehicle or the person in charge of any animal involved in any accident resulting in damage to any property publicly owned or owned by a public utility, including but not limited to, any fire hydrant, parking meter, lighting post, telephone pole, electric light or power pole, resulting in damage to any tree, in or along any street, shall within twenty-four (24) hours after such accident make a written report of such accident to the Police Department of this City. (1157-9/65)

10.08.110 Accident report--Contents. Every such report shall state the time when and the place where the accident took place, the name and address of the person owning and of the person operating or in charge of such vehicle or animal, the license number of every such vehicle, and shall briefly describe the property damage in such accident. (1157-9/65)

10.08.120 Accident report--Injured parties. The operator of any vehicle involved in an accident shall not be subject to the requirements or penalties of this code if and during the time he is physically incapable of making a report, but in such event he shall make a report as required in Section 10.08.100 within twenty-four (24) hours after regaining ability to make such report.
(1157-9/65)

10.08.130 Vehicle removal by police. Officers, reserve officers, parking control officers and cadets of the Police Department as are assigned by the Chief of Police are authorized and may remove or cause to be removed:

- (a) Any vehicle that has been parked or left standing upon a street or highway for seventy-two (72) or more consecutive hours; or which the investigating officer determines has been abandoned pursuant to *Vehicle Code* Sections 22523 or 22669. Such vehicles may be removed as an abandoned vehicle pursuant to *Vehicle Code* Section 22651(k). (3368-8/97)
- (b) Any vehicle which is parked or left standing upon a street or highway between the hours of 7 a.m. and 7 p.m. when such parking or standing is prohibited by ordinance or resolution of this City and signs are posted giving notice of such removal. (3368-8/97)
- (c) Any vehicle which is parked or left standing upon a street or highway where the use of such street or highway or a portion thereof is necessary for the cleaning, repair or construction of the street or highway or for the installation of underground utilities or where the use of the street or highway or any portion thereof is authorized for a purpose other than the normal flow of traffic or where the use of the street or highway or any portion thereof is necessary for the movement of equipment, articles or structures of unusual size, and the parking of such vehicle would prohibit or interfere with such use or movement; provided that signs giving

notice that such vehicle may be removed are erected or placed at least twenty-four (24) hours prior to the removal.

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- (d) Any vehicle which is parked or left standing in any City-owned or operated parking lot when such parking or standing has been prohibited by ordinance or resolution. (1157-9/65, 2124-1/77)
- (e) Any vehicle that is over eighty-four (84) inches high, measured from the surface of the roadway to its highest point, or over eighty-four (84) inches wide, measured from its widest point, excluding side view mirrors or similar extensions, that is parked on an arterial highway, as described in Section 10.44.070 of the Huntington Beach Municipal Code, between the hours of 9 p.m. and 6 a.m. (3337-12/96)

10.08.140 State highways regulated by City--Approval. Any provision of this title which regulates traffic or delegates the regulation of traffic upon state highways in any way for which the approval of the State Department of Public Works is required by state law, shall cease to be operative six (6) months after receipt by the City Council of written notice of withdrawal of approval of the State Department of Public Works. (1157-9/65, Urg Ord 1292-1/67)

10.08.150 State highways regulated by City--Authority delegated. Whenever this title delegates authority to a City officer, or authorizes action by the City Council to regulate traffic upon a state highway in any way which, by law, requires the prior approval of the State Department of Public Works, no such officer shall exercise such authority nor shall such action by the City Council be effective with respect to any state highway without the prior approval, in writing, of the State Department of Public Works when and to the extent required by the state Vehicle Code. (1157-9/65, Urg Ord 1292-1/67)

